

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee:	Hao, <i>et al.</i>	Docket:	TSM03-0521
Patent No.:	6,949,471 B2	Issue Date:	September 27, 2005
Serial No.:	10/631,251	Art Unit:	2812
Filed:	July 31, 2003	Examiner:	Luk, Olivia T.
For:	Method for Fabricating Poly Patterns		

Mail Stop 16
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Request for Refund Under 37 CFR § 1.26

Dear Sir:

The above-referenced patent has been assessed a fee of \$120.00. For the reasons stated below, Patentee submits that this fee was incorrectly charged due to no extension fee being necessary and requests a refund.

FACTS:

1. On December 22, 2004, an Office Action was mailed from the USPTO. A copy of the first page of the Office Action indicating the date of mailing is attached as Exhibit 1.
2. On March 22, 2005, Patentee filed an Amendment via first class mail for which no additional fees were due. A copy of the Certificate of Mailing is attached as Exhibit 2.
3. On March 25, 2005, the Amendment was received at the USPTO. A copy of the stamped return receipt postcard is attached as Exhibit 3.
4. On August 25, 2005, the PTO charged a one-month extension fee in the amount of \$120.00 to Deposit Account No. 50-1065. Exhibit 4 shows a redacted portion of the deposit account statement.

-1-

REMARKS:

As Patentee mailed the Amendment on the three month due date, Patentee respectfully requests that the \$120.00 fee be refunded to Deposit Account No. 50-1065.

If the Office should have any questions, it is requested that Patentee's attorney be contacted at the telephone number below.

Respectfully submitted,



Ira S. Matsil
Attorney for Patentee
Reg. No. 35,272

Slater & Matsil, L.L.P.
17950 Preston Rd., Suite 1000
Dallas, TX 75252-5793
Tel: (972) 732-1001
Fax: (972) 732-9218

Exhibit 1



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/631,251	07/31/2003	Ching-Chen Hao	TSM03-0521	1589
42859	7590	12/22/2004	EXAMINER	
SLATER & MATSIL, L.L.P. 17950 PRESTON ROAD, SUITE 1000 DALLAS, TX 75252			LUX, OLIVIA T	
			ART UNIT	PAPER NUMBER
			2812	

DATE MAILED: 12/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

DEC 27 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hao, *et al.* Docket No.: TSM03-0521
Serial No.: 10/631,251 Art Unit: 2812
Filed: July 31, 2003 Examiner: Olivia T. Luk
For: Method for Fabricating Poly Patterns

Certificate of Mailing via First Class Mail (37 C.F.R. § 1.8(a))

Date of Deposit: March 22, 2005

I hereby certify that the below listed correspondence is being deposited with the United States Postal Service on the date indicated above as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Certificate of Mailing via First Class Mail (1 page)
Amendment (10 pages)
Transmittal of Formal Drawings (1 page)
Four (4) Sheets of Formal Drawings
Return Postcard

Respectfully submitted,



Kristin R. Hayes
Legal Assistant

Slater & Matsil, L.L.P.
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Dallas, TX 75252
Tel: 972-732-1001
Fax: 972-732-9218

11/04/2005 13:50

9727329218

SLATER & MATSIL LLP

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Exhibit 3

3/22/05
7d

The stamp of the USPTO, placed hereon, acknowledges receipt of:

Applicant: Hao, et al.

Docket No.: TSM03-0521

Serial No: 10/631,251

Art Unit: 2812

Filed: July 31, 2003

Date Mailed: March 22, 2005

TITLE: Method for Fabricating Poly Patterns

Certificate of Mailing via First Class Mail (1 page)
Amendment (10 pages)
Transmittal of Formal Drawings (1 page)
Four (4) Sheets of Formal Drawings
Return Postcard



3/22/05
7d

Slater & Matsil, L.L.P.

11/04/2005 13:58

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Page 1 of 1

Deposit Account Statement

Exhibit 4



United States
Patent and
Trademark Office



Deposit Account Statement

Requested Statement Month:

Deposit Account Number:

Name:

Attention:

Address:

City:

State:

Zip:

Country:

August 2005

501085

SLATER & MATSIL LLP

IRA S MATSIL

17950 PRESTON RD

DALLAS

TX

75252

UNITED STATES OF AMERICA

DATE SEQ POSTING
REF TXT

ATTORNEY
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FEE
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11/04/2005 13:50 9727329218

SLATER & MATSIL LLP

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Page 5 of 8

Deposit Account Statement

Exhibit 4

[REDACTED]

08/25 7	10631251	TSM030521	1251	\$120.00	\$35,305.50
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[REDACTED]

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OFFICE

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US PATENT & TRADEMARK
OFFICE

FACSIMILE COVER SHEET

To: Commissioner for Patents	Total Pages Sent: 8
Mail Stop 16	(including cover sheet)
Facsimile Number: (571) 273-6500	Transmission Date: November 4, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee:	Hao, <i>et al.</i>	Docket No.:	TSM03-0521
Patent No.	6,949,471 B2	Issue Date:	September 27, 2005
Serial No.	10/631,251	Art Unit:	2812
Date Filed:	July 31, 2003		
Title:	Method for Fabricating Poly Patterns		

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following papers are being transmitted by facsimile to the U.S. Patent and Trademark Office at (571) 273-6500 on the date shown above:

- Certification of Facsimile Transmission (1 page)
- Request for Refund Under 37 CFR § 1.26 (2 pages)
- Exhibit 1 - Copy of 1st page of Office Action dated December 22, 2004 (1 page)
- Exhibit 2 - Copy of Certificate of Mailing dated March 22, 2005 (1 page)
- Exhibit 3 - Copy of Return Receipt Postcard (1 page)
- Exhibit 4 - Redacted Deposit Account Statement (2 pages)

Respectfully submitted,



Kristin Hayes
Legal Assistant

Confirmation Respectfully Requested

This facsimile is intended only for the use of the address named and contains legally privileged and/or confidential information. If you are not the intended recipient of this telecopy, you are hereby notified that any dissemination, distribution, copying or use of this communication is strictly prohibited. Applicable privileges are not waived by virtue of the document having been transmitted by facsimile.

United States Patent and Trademark Office
- Sales Receipt -

08/25/2005 TBELL2 00000007 501065 10631251
Sale Ref: 00000007 DA#: 501065 10631251
01 FC:1251 120.00 DA

Adjustment Date: 12/06/2005 SDIRETA1
08/25/2005 TBELL2 00000007 501065 10631251
01 FC:1251 120.00 CR